

## REGULAR COUNCIL MEETING

The Clear Lake City Council met in regular session on Monday, September 17, 2012, at 6:30 p.m., in the Council Chambers, at City Hall, with Mayor Nelson P. Crabb presiding. All Council Members present.

Nelson moved the agenda be approved, seconded by Boehnke. Passed Unanimously.

Unsworth, moved to approve the consent agenda, seconded by Boehnke:

- A. Minutes – September 4, 2012.
- B. Approval of the bills & claims.
- C. Licenses & Permits:
  - Liquor License: Class C Beer Permit (BC) with Sunday Sales, Pilot Travel Center; Class C Beer Permit (BC) and Class B Wine Permit with Sunday Sales, Shell Food Mart, (renewals).
  - Tree Trimmer's License: Behne Tree Service, Nora Springs, (new).

Roll Call: All Ayes.

Mayor Crabb announced that it was the time and place for the citizen's forum.

Denny Currier, 711 N 3<sup>rd</sup> Street, addressed the Council regarding his concerns pertaining to the sidewalk construction being made as part of the CDBG Project improvements to property he owns at 715 N 3<sup>rd</sup> Street. He asked the Council to reconsider the installation of the sidewalk as he feels the sidewalk will not be utilized in this area of the community. He also stated that due to the grade of the property the proposed sidewalk will be difficult for him to maintain.

Scott Flory, City Administrator, reviewed the 1<sup>st</sup> Avenue S. & S. 3<sup>rd</sup> Street Alley Improvement Project and stated that at its previous meeting, the City Council awarded the construction contract to Yohn Excavating of Clear Lake in the amount of \$59,750.03. He stated the City has now received the Contract & Bonds, as well as the Certificate of Insurance from the contractor and that these documents have been reviewed by City staff and have been found to be in compliance with the project specifications. Callanan introduced the following **Resolution** and moved its adoption, seconded by Unsworth. Roll Call: Passed Unanimously. Whereupon, the Mayor declared the following duly adopted:

### RESOLUTION No. 12-53

#### A RESOLUTION APPROVING CONSTRUCTION CONTRACT AND BONDS FOR THE 1<sup>ST</sup> AVENUE S. & S. 3<sup>RD</sup> STREET ALLEY IMPROVEMENTS

Flory reviewed the proposed City Hall/Police Department Emergency Generator Replacement Project and stated that one of the major capital items in the proposed FY 13 budget was the replacement of the old emergency back-up generator at the City Hall/Police Department. He stated the City recently had a feasibility report prepared and following a review of the feasibility report the Council determined to proceed with preparation of detailed plans & specification necessary for bidding purposes.

Harry Doyle, Modus Engineering, reviewed the proposed project plans & specifications and project schedule. He stated that the project schedule calls for a hearing on the plans, specifications, form of contract, & estimate of cost on October 1<sup>st</sup>; the bid letting will be held at 2:00 p.m. on October 11<sup>th</sup>; and consideration of an award of contract on October 15<sup>th</sup>. Nelson introduced the following **Resolution** and moved its adoption, seconded by Callanan. Roll Call: Passed Unanimously. Whereupon, the Mayor declared the following duly adopted:

### RESOLUTION No. 12-54

#### A RESOLUTION FIXING THE DATE FOR A PUBLIC HEARING ON PLANS, SPECIFICATIONS, FORM OF CONTRACT & ESTIMATE OF COST, AND SETTING THE DATE FOR A BID LETTING ON THE PROPOSED CLEAR LAKE CITY HALL GENERATOR REPLACEMENT PROJECT FOR THE CITY OF CLEAR LAKE, IOWA AND FOR TAKING OF BIDS THEREFOR

Jason Petersburg, P.E., Veenstra & Kimm, gave an update on the CDBG Sanitary Sewer Collection System Improvement Project – Phase 2 – Paving Improvements and reviewed Pay Estimate #5 in the amount of \$214,805.35 to Wick’s Construction of Decorah, Iowa. Unsworth moved to approve Pay Estimate #5, seconded by Callanan. Passed Unanimously.

Ms. Monica Taylor-Lee, Great Lakes Airlines, gave a presentation to the Council regarding the recent changes and improvements to the services provided by Great Lakes Airlines to the Mason City Municipal Airport.

Ms. Laurel Clement, North Iowa Area Council of Governments, reviewed the proposed Cerro Gordo County Multi-Jurisdictional Hazard Mitigation Plan and stated that the City is required by FEMA to have adopted a plan in order to be eligible to receive federal disaster funds in the event of a natural disaster. She stated that the Plan needs to be kept on file at City Hall for public inspection until the October 15<sup>th</sup> meeting at which time the Council will need to approve a Resolution adopting the Plan.

Flory reviewed the Annual Street Financial Report for fiscal year 2012. He stated the report must be submitted annually to the Iowa Department of Transportation by September 30<sup>th</sup> and that the report includes the following major capital construction projects completed by the end of the 2012 fiscal year: 10<sup>th</sup> Ave N. Street Reconstruction; 7<sup>th</sup> Ave N. Storm Sewer; CDBG Sanitary Sewer Collection System Improvement Project – Phase 1; Tourist Park; Industrial Park Storm Sewer 3<sup>rd</sup> Addition; and 3<sup>rd</sup> Ave S. Street ROW Restoration. He noted that some of these projects have not yet been accepted by the Council, however. Unsworth introduced the following **Resolution** and moved its adoption, seconded by Boehnke. Roll Call: Passed Unanimously. Whereupon, the Mayor declared the following duly adopted:

RESOLUTION No. 12-55

A RESOLUTION APPROVING THE FY 12 IOWA DOT  
ANNUAL STREET FINANCIAL REPORT

Joe Weigel, Public Works Director, gave an update on the following projects: Pine Brooke Addition #3 Improvements; N. 40<sup>th</sup> Street Bridge Deck Rehabilitation Improvement Project; North Shore Drive Streetscape Improvement Project; and the Buddy Holly Place (US HWY 18 to 10<sup>th</sup> Ave N.).

Flory updated the Council about discussions he has had with the North Iowa Cultural Center & Museum concerning the North Shore Drive Streetscape Project. He stated that the City’s improvements cease at the right-of-way line and that the NICC&M is supportive of the project and would like to see the improvements to the rest of the sidewalk that extends beyond the right-of-way line. Flory indicated the City could loan the NICC&M funds to complete the rest of the project and enter into an Agreement for that purpose. The Council gave Flory the consensus that he should proceed with drafting the Agreement.

Charlie Biebesheimer, City Attorney, stated that the closing on the property for the future Northwest Water Tower was completed on Friday, September 7<sup>th</sup> and that the deed has been recorded at the courthouse.

There being no further business before the Council, Brant moved to adjourn at 7:54 p.m., seconded by Boehnke. Passed Unanimously.

NEXT MEETING – MONDAY, OCTOBER 1, 2012

/S/ Nelson P. Crabb  
Nelson P. Crabb, Mayor

ATTEST:

/S/ Jennifer Larsen  
Jennifer Larsen, City Clerk